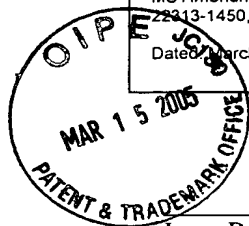


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 9, 2005

Signature:   
(Raymond Garguilo, Jr.)

ITW  
Docket No.: SPINE 3.0-441 CONT CONT  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ralph et al.

Application No.: 10/667,034

Group Art Unit: 3731

Filed: September 22, 2003

Examiner: E. Robert

For: POROUS INTERVERTEBRAL DISTRACTION  
SPACERS

MS Amendment  
Commissioner for Patents  
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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT AND  
REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)**

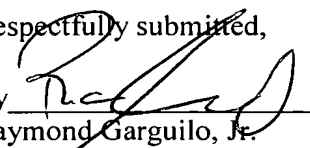
Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

Please charge Deposit Account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our Deposit Account No. 12-1095.

Dated: March 9, 2005

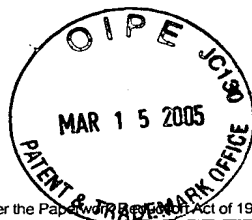
Respectfully submitted,

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PTO/SB/08a/b (08-03)  
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|   |   |    |   |                          |                         |
|---|---|----|---|--------------------------|-------------------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                         |
|   |   |    |   | Application Number       | 10/667,034              |
|   |   |    |   | Filing Date              | September 22, 2003      |
|   |   |    |   | First Named Inventor     | James D. Ralph          |
|   |   |    |   | Art Unit                 | 3731                    |
|   |   |    |   | Examiner Name            | E. Robert               |
| Sheet   | 1 | of | 2 | Attorney Docket Number   | SPINE 3.0-441 CONT CONT |

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| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|